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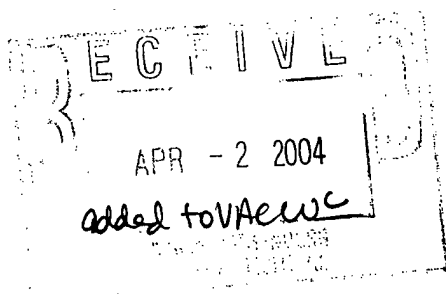
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,030	07/09/2003	Sean Strait	0545.033	1548
23405	7590	03/30/2004	EXAMINER	
HESLIN ROTHENBERG FARLEY & MESITI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203			COMPTON, ERIC B	
			ART UNIT	PAPER NUMBER
			3726	

*NATVAC*

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED 6/30/04



**Exhibit A**

# Notice of Allowability

Application No.

10/616,030

Examiner

Eric B. Compton

Applicant(s)

STRAIT, SEAN

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an application filed 7/9/2003.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7/9/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Victor Cardona on March 24, 2004.

The application has been amended as follows:

In the Specification, Section [0001], line 1, "6,282,639" should read —6,283,639—

Note: the above amendment was made to resolve a minor typographical error with respect to the Pat. Number. See Section [0021] (showing correct patent designation).

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 1 will be labeled —Prior Art—; Figure 4, reference 143 (left) will include an arrow pointing at the roller element. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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3. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a method (or apparatus) for adjusting the spacer of a bearing assembly comprising: a preload regulator comprising first and second portion, and a controller coupled to said first and said second portions to detect an electrical contact between said first and said second portions, in combination with the other claimed subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Compton whose telephone number is (703) 305-~~0240~~. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter B. Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric Compton  
Patent Examiner  
A/U 3726



DAVID P. BRYANT  
PRIMARY EXAMINER

571-  
272-  
4527

INFORMATION DISCLOSURE CITATION	Docket No.: 0545.033	Serial No. Unassigned
	Applicant: Strait	
	Filing Date: Filed Herewith	Group: Unassigned

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
SC	AA	6,327,773 B1	12/11/2001	RODE	29	724	
EC	AB	6,461,051 B1	10/08/2002	RODE	384	551	

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	Date	Country	Class	Subclass	Translation	
							Yes	No

Other Documents (including Author, Title, Date, pertinent public. etc.)		

Examiner <i>Eric Cantor</i>	Date Considered <i>3/27/04</i>
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**Notice of References Cited**

Application/Control No.

10/616,030

Applicant(s)/Patent Under  
Reexamination  
STRAIT, SEAN

Examiner

Eric B. Compton

Art Unit

3726

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,446,339	09-2002	Takamizawa et al.	29/898.09
*	B	US-6,487,775	12-2002	Rode, John E.	29/898.09
*	C	US-6,662,449	12-2003	Rode, John E.	29/898.09
*	D	US-6,684,506	02-2004	Rode, John E.	29/898.09
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

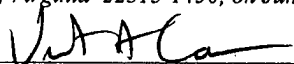
\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Strait Confirmation No.: 1548  
Serial No.: 10/616,030 Group Art Unit: 3726  
Filed: July 9, 2003 Examiner: Eric B. Compton  
Title: BEARING ASSEMBLY SPACER ADJUSTABLE SYSTEM AND METHOD  
FOR ADJUSTING A SPACER

CERTIFICATE OF MAILING

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop PGPUB Drawings, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 28, 2004*

  
Victor A. Cardona, Esq.  
Attorney for Applicant  
Reg. No. 44,589

Date of Signature: June 28, 2004

To: Mail Stop PGPUB Drawings  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF ALLOWABILITY

Dear Sir:

This paper is filed in response to the Notice of Allowability mailed on March 30, 2004, in connection with the above-identified U.S. patent application. The three-month period for response expires on June 30, 2004. Accordingly, this response is timely filed.

Please amend the above-identified application as follows:

**Amendments to the Drawings** begin on page 2 of this paper, and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks** begin on page 3 of this paper.

Exhibit B

**AMENDMENT**

**Amendments to the Drawings:**

Replacement Drawings are attached herewith. Amendments have been made to FIGS. 1 and 4. In FIG. 1 the text "PRIOR ART" was previously omitted, and in FIG. 4 a line from identifier 143 was previously omitted. Marked up copies of FIGS. 1 and 4 are also attached herewith.

Attachment: Replacement FIGS. 1-6  
Annotated Sheets Showing Changes to FIGS. 1 and 4



**REMARKS**

In response to the Notice of Allowability dated March 30, 2004, FIGS. 1 and 4 have been amended. Entry of these amendments, reconsideration of the application, and allowance of the claims is respectfully requested. No new matter has been added.

Applicant awaits the issuance of a Notice of Allowance and Issue Fee Due.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided.

*Respectfully submitted,*



Victor A. Cardona, Esq.  
Attorney for Applicant  
Registration No. 44,589

Dated: June 28, 2004

**HESLIN ROTHENBERG FARLEY & MESITI P.C.**

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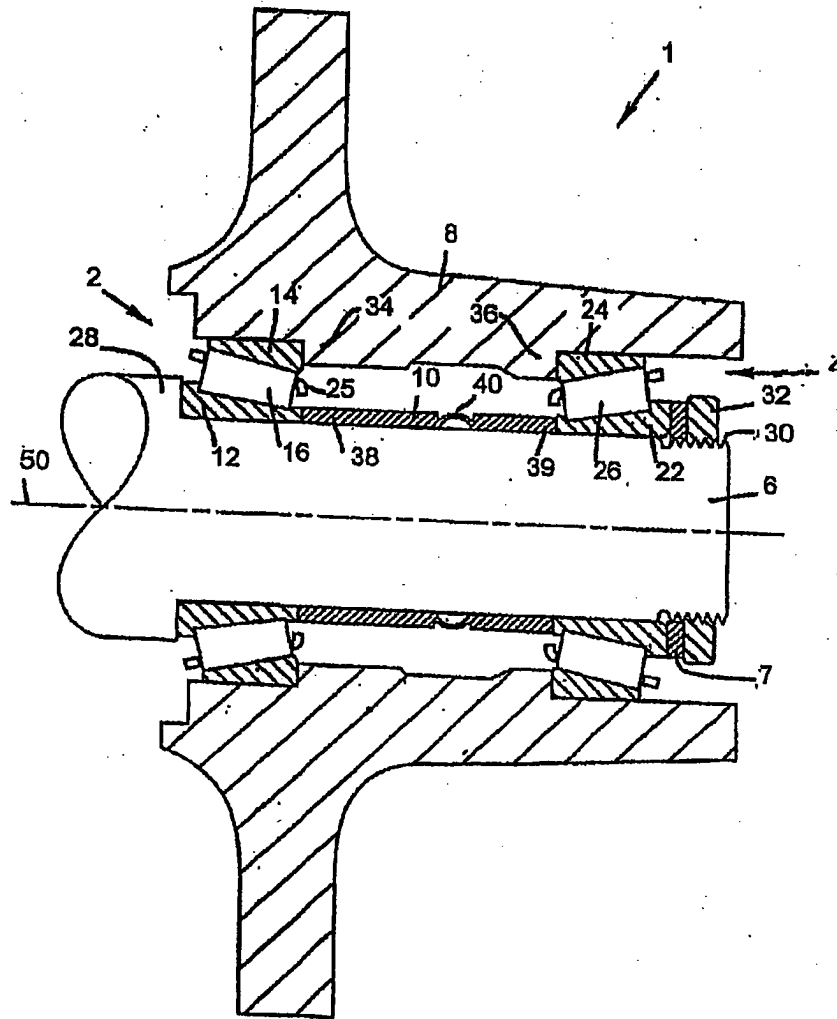


FIG. 1

PRIOR ART

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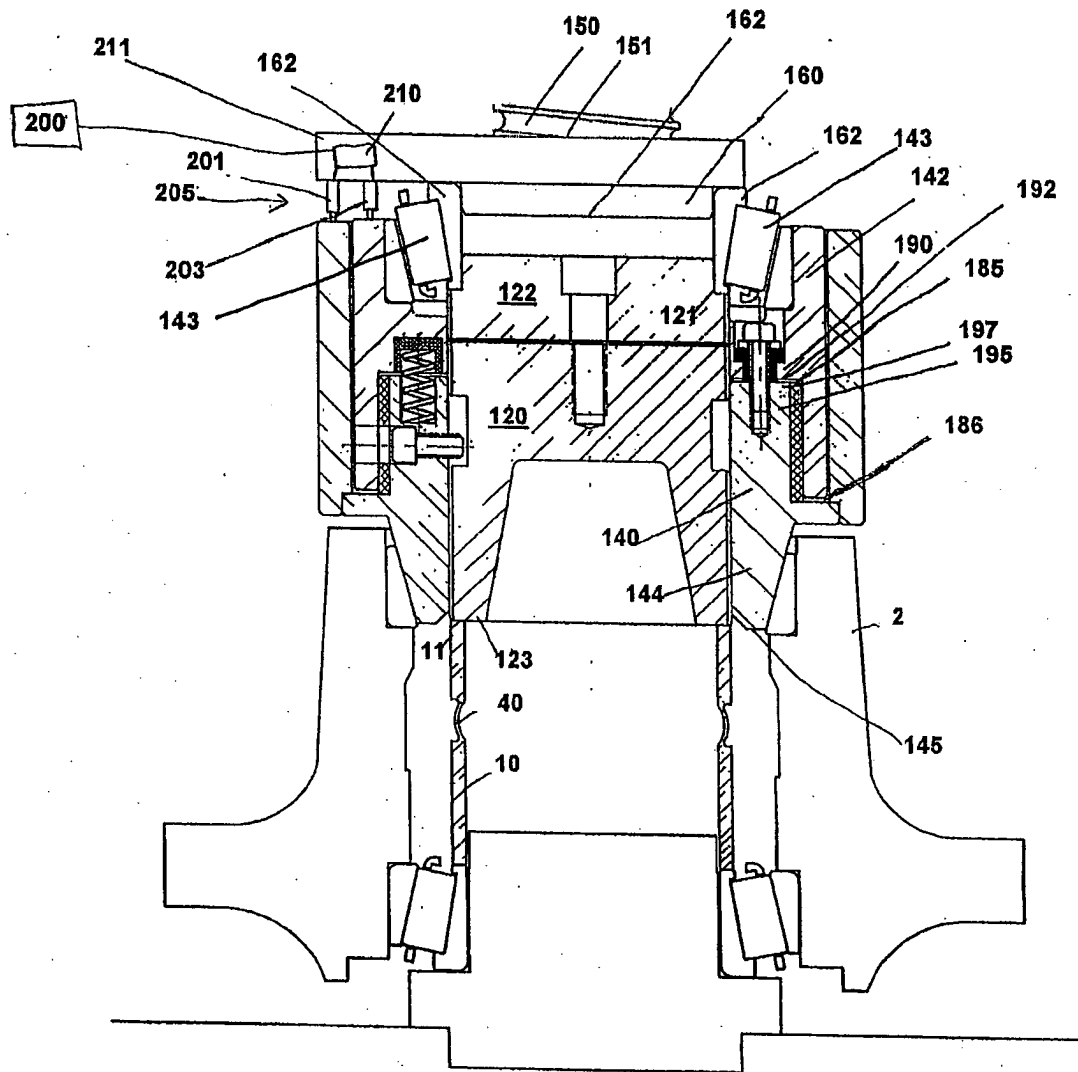
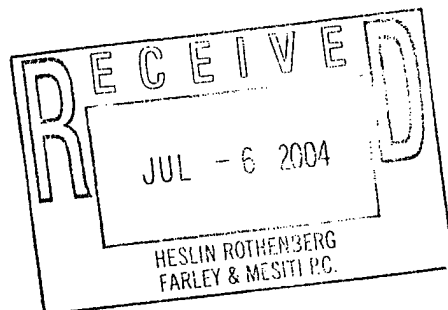


FIG. 4

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**Applicant:** Strait  
**Serial No.** 10/616,030  
**Filing Date:** July 9, 2003  
**Title:** BEARING ASSEMBLY SPACER  
ADJUSTABLE SYSTEM AND METHOD FOR  
ADJUSTING A SPACER

**Enclosed:**

- \* One (1) Acknowledgment Postcard
- \* Response to Notice of Allowability (4 pages)
- \* Replacement FIGS. 1-6 (6 pages)
- \* Marked-Up Copies of Amended FIGS. 1 & 4



**File No.:** 0545.033/VAC/ccw

**Date Mailed:** June 28, 2004  
**Date Due:** June 30, 2004